

**Public Space Management
Request for Proposals RFP**

Release Date: March 9, 2023

The following is a list of responses to questions submitted by prospective respondents to ECHDC RFP for Public Space Management. A copy of the RFP is available at:

<https://esd.ny.gov/doing-business-ny/requests-proposals/rfp-buffalo-waterfront-public-space-management>

Public Space RFP – Q&A Matrix

No.	Question	Answer
1	Rink: Is there a staffing level requirement for all hours of rink operation?	Yes. The Operator shall determine the required staffing levels during all hours of rink operation to support the programming and keep visitors and the public space secure.
2	Rink: Is there a staffing level requirement for hours of non-operation (security)?	Yes. The Operator shall determine the required staffing levels during all hours of rink non-operation to support the programming and keep visitors and the public space secure.
3	Rink: Who pays for the security guards that patrol the area to keep people off the ice during non-operating hours?	Operator
4	Rink: Can the operator choose to allow for free skating "at your own risk" during daylight hours, outside of non-operating hours?	All insurance and liabilities are the Operators responsibility. ECHDC does not take responsibility for anyone skating outside of non-operational hours.
5	Rink: Is there a subsidy for rink operations?	No.



No.	Question	Answer
6	Rink: Are there additional insurance requirements? If so, how much is annual cost of ice rink insurance?	We require the Operator to insure the entire managed public space. See Pg 41, Sec xii.
7	Rink: Does operator pay for Zamboni upkeep?	Yes.
8	Rink: Will operator have to pay to lease operating area for skate rental/ concessions?	Yes.
9	Rink: Will operator have to pay market rates for concession/skate rental area?	Yes.
10	Rink: Who owns the rental skates?	Operator
11	Rink: Is there a starting inventory of rental skates?	Yes.
12	Is there a skate sharpening machine? Who owns it? Who maintains it?	Yes. Operator Operator

No.	Question	Answer
13	Are there dedicated storage areas for the three different contractors?	<p>The Operator will receive storage space in the Wilkeson Pointe Food and Beverage building when complete. If additional storage is needed, containers can be placed (location in agreement with ECHDC) on ECHDC property, at the cost of the operator, provided they are branded along Buffalo Waterfront guidelines. All storage must remain within container.</p> <p>The Grounds Management will receive storage space at the garage at Wilkeson Pointe.</p> <p>The Facilities Management will receive storage space at the Explore & More sub-basement, some workspace in the Gateway Building when complete, and (4) 8'x40' shipping containers.</p>
14	Where will the kiosks and storage containers currently located on the City of Buffalo property be moved to under the new RFP?	The white kiosks on the Boardwalk and the two (2) blue office trailers remain property of the City of Buffalo.
15	Are there dedicated parking areas for the three different contractors?	No.
16	Who receives the income from the parking lot?	ECHDC.
17	<p>How are emergency repairs of State-owned equipment that the public space manager uses handled?</p> <p>a. Zamboni breaks down on a Saturday – who is responsible for the repair?</p> <p>b. Chillers go down – what is the expectation for timeliness of the repair?</p>	<p>a. The Operator</p> <p>b. Immediate. Repairs will be reimbursable with ECHDCs approval (if the Operator isn't at fault) as a capital expense through the Facility Manager.</p>

No.	Question	Answer
18	<p>What sponsorship inventory items listed below will the ECHDC sell, receive profit from, and/or manage? Are there any pieces of inventory not listed here that the ECHDC will maintain rights to?</p> <ul style="list-style-type: none"> a. Amphitheater b. Lakeside Event Lawn c. Wilkeson Food and Beverage development d. Outer Harbor walking paths e. Lakeside Bike Park f. Queen City Bike Ferry g. Wilkeson Pointe Lawn h. Canals at Canalside i. Bridges at Canalside 	See Pg 21, Sec vi.
19	<p>Will category exclusivity be available to public space manager sponsorships? If so, how will the sale process work with state sponsorship rights?</p>	See Pg 21, Sec vi. ECHDC’s rights supercede Operators rights.
20	<p>What signage elements are permissible for a presenting sponsor of the concert series? Are there any permanent elements available?</p>	TBD and Negotiated between the Operator and ECHDC.
21	<p>Is sponsorship of the Bicentennial Celebration being sold? Will category exclusivity on site be honored?</p>	Yes. No.
22	<p>What is the duration and site impact of the 2025 Erie Canal Bicentennial Commemoration?</p>	The Longshed and the Ruins will be occupied and unavailable for additional programming the summer of 2025 and 2026.
23	<p>What is an example of a reason for the ECHDC to reject an event planned after April 1 of each year?</p>	TBD, as per approval from ECHDC.

No.	Question	Answer
24	Will the ECHDC be making any of the following improvements to the parking lots for concerts: a. Paving b. Improving entrance point c. Adding egress point d. Striping	No, not currently.
25	Will the ECHDC be installing way-finding or site signage as part of the Amphitheater? a. Are there sponsorship opportunities on any installed signage elements?	TBD. Yes, as per approval from ECHDC.
26	Will additional lighting be installed in the parking lots and pedestrian pathways around the concert venue?	Yes, in the pedestrian pathways.
27	How does liability work between the three contractors? Is the public space manager only responsible for event related incidents?	Under mediation/private arbitration. Yes, the Operator is responsible for Scope of Work-related incidents.
28	What time period during the contract will the Longshed be available for booking events / functions?	TBD after 2026.
29	Can you provide detailed drawings of the following: a. Amphitheater b. Lighting plan for Amphitheater and parking lots c. Bell Slip Project d. Wilkeson Point Project e. Gateway Building Project	See Addendum#2
30	“Seasonal Transition Chart” states August 1 for draining the Canal. The RFP states September 1. Can you clarify that the Roller Rink season will be shortened to 6 weeks in length?	Yes, the Roller Rink season will be shortened to 6 weeks as per the RFP. The “Seasonal Transition Chart” is based on the current operations and will be revised in the future.

No.	Question	Answer
31	Could you please clarify which of the services requested in the Buffalo Waterfront Grounds Management RFP; Buffalo Waterfront Public Space Management RFP; and the Facilities Management Services RFP would not fall under the purview of a venue operator?	All services contained in Buffalo Waterfront Public Space Management RFP fall under the purview of the venue operator.
32	Are we required to respond to each individual RFP or would the ECDC consider a response to the Facilities Management Services RFP which incorporates the scope from the Public Space Management RFP?	Yes, an individual response to each RFP is required.
33	<p>Please provide the following for events:</p> <ul style="list-style-type: none"> a. a complete event history for the past five (5) years and future events scheduled (confirmed and tentative) for the upcoming three (3) years b. Sample event settlements for any concerts or music festivals c. Rental Rate and Fee Schedule for the venue d. Booking and Scheduling Policy e. Current agreements with any event promoters or show producers. f. User/License Agreements 	<ul style="list-style-type: none"> a. Please see 2023 Buffalo Waterfront Public Space Management RPF > (previous 2 years supplied) Appendix F Anything prior is irrelevant. b. n/a - Proprietary to current Public Space Management Corporation c. n/a - Proprietary to current Public Space Management Corporation d. n/a - Proprietary to current Public Space Management Corporation e. n/a - Proprietary to current Public Space Management Corporation f. Please see 2023 Buffalo Waterfront Public Space Management RPF > Appendix D
34	<p>Please provide the following for staffing:</p> <ul style="list-style-type: none"> a. Titles and salaries of all full-time employees b. Organization chart c. Copies of job descriptions for all full-time positions d. A breakdown of annual part-time labor costs and hourly rates e. Descriptions of current staff benefits (copies of handbook) including Health, Dental, Vision, Group life, Retirement/401K, and Vacation benefits 	<ul style="list-style-type: none"> a. n/a - Proprietary to current Public Space Management Corporation b. n/a - Proprietary to current Public Space Management Corporation c. n/a - Proprietary to current Public Space Management Corporation d. n/a - Proprietary to current Public Space Management Corporation e. n/a - Proprietary to current Public Space Management Corporation

No.	Question	Answer
35	<p>Please provide the following for third party and labor agreements:</p> <ul style="list-style-type: none"> a. Current agreements with the labor unions b. Third-party service agreements (for example: ticketing services, audio/visual services, housekeeping, merchandising, first aid/EMT, parking services, etc.) 	<ul style="list-style-type: none"> a. n/a - Proprietary to current Public Space Management Corporation b. n/a - Proprietary to current Public Space Management Corporation
36	<p>Please provide the following for sponsorship and advertising:</p> <ul style="list-style-type: none"> a. Please provide a list of sponsorship revenue and agreements over the last three years including 2019 (or first full year prior to pandemic). List should include cash and trade annual amounts, length of term, and end date for each sponsorship agreement. b. Please provide copies of all sponsorship contracts with the facility. c. Are there any sponsors that have exclusivity in their agreements? If so, please provide a list of those partners and the business categories that are exclusive. d. How many staff member(s) are dedicated to the sponsorship effort? Please provide title and annual compensation including incentive pay. e. Is there any other entity or 3rd party organization/agency that sells advertising or sponsorship to the facility? If so, please provide a copy of their agreement or explain the relationship and term if applicable. f. Please provide an inventory list and rate card for all sponsorship/advertising assets for sale including Canalside, the Outer Harbor and Concert series opportunities including naming rights, physical site assets and amenities, pouring rights, website and events. g. Please define the amenities offered in each premium seating offering (i.e. tickets, parking, etc.) h. Please provide a list of all premium seating agreements over the last three years. i. Please provide a copy of current sponsorships sales collateral. j. Do any third-party events have sponsorship rights on-site? Please elaborate on your sponsorship policy and guidelines for third party events and if those events are allowed to activate with their own corporate partners during events and to what extent. 	<ul style="list-style-type: none"> a. Please see 2023 Buffalo Waterfront Public Space Management RPF > Appendix G b. n/a - Proprietary to current Public Space Management Corporation c. n/a - Proprietary to current Public Space Management Corporation d. n/a - Proprietary to current Public Space Management Corporation e. n/a - Proprietary to current Public Space Management Corporation f. Please see 2023 Buffalo Waterfront Public Space Management RPF > Appendix E g. n/a - Proprietary to current Public Space Management Corporation h. n/a - Proprietary to current Public Space Management Corporation i. n/a - Proprietary to current Public Space Management Corporation j. Yes. TBD by the Public Space Management group and approved by ECHDC.



No.	Question	Answer
37	Please provide the following for sales and marketing: a. Are there any agencies contracted by venue i.e., PR; media buying; digital; design? b. Does Buffalo Waterfront have an annual marketing budget? If so, how much?	a. n/a - Proprietary to current Public Space Management Corporation b. n/a - Proprietary to current Public Space Management Corporation

No.	Question	Answer
38	<p>Please provide the following for food and beverage:</p> <ul style="list-style-type: none"> a. Year-end financial statements for the past five (5) years b. Budget for the upcoming fiscal year, if approved c. Third-party service agreements (local sub-contractors, not-for-profits) d. List and description of any inventory that we would be responsible for taking over? e. Sponsors with exclusivity included in their agreements. f. Capital improvement budgets and if there is a capital reserve fund. If there is a reserve fund, what is the current balance and how is it replenished? g. Please describe the current POS systems and apps in use to help streamline the ordering process and improve the employee experience. Is there any type of self-order, self-pay, and kiosk technologies in use in your operations? h. Is there a Supplier Diversity Program? How much of your total spending is with Diverse Suppliers? i. Please provide a copy of your sustainability policy. j. Please provide a list of subcontracted F&B provider locations and what services (e.g. food, alcoholic beverages) each provides. k. Are the FT/PT Hourly team members engaged in a Collective Bargaining Agreement? If so, please provide Local information and seniority list. l. Who are the exclusive food service providers (if any) at the Children’s Museum, Carousel, Naval Park Museum, and what rights and access do they have to use of Waterfront spaces? m. Can we see copies of the past two years Annual Management Plan for food and beverage? n. Can we see a list of all third-party festivals held at the Waterfront? o. Please list all the “Permanent Restaurant Offerings” currently available. p. Describe BOTH storage spaces (location, size, access) dedicated to Food & Beverage services and Warehousing of products. q. Please provide a current list of all equipment (smallwares, rolling stock, carts, cooking equipment, etc.) and please detail who owns the inventory. 	<ul style="list-style-type: none"> a. 2023 Buffalo Waterfront Public Space Management RPF > Appendix I b. n/a - Proprietary to current Public Space Management Corporation c. n/a - Proprietary to current Public Space Management Corporation d. None. e. 2023 Buffalo Waterfront Public Space Management RPF > Appendix E f. None. g. None. h. No, in good efforts. i. We do not have a specific, written sustainability policy for the Buffalo Waterfront. Feel free to read the “CBA” we negotiated for Canalside. j. n/a - Proprietary to current Public Space Management Corporation k. n/a - Proprietary to current Public Space Management Corporation l. The Children’s Museum, Carousel, and the Naval Park Museum are private entities and operate their own food and beverage. They have seasonal use of Canalside property as approved by ECHDC. The Operator will make efforts to coordinate public space programming with our Neighbors. m. n/a - Proprietary to current Public Space Management Corporation n. 2023 Buffalo Waterfront Public Space Management RPF > Appendix F o. See Buffalo Waterfront website > https://buffalowaterfront.com/food-drink p. See Addendum#2 q. None.



No.	Question	Answer
39	<p>Upon further review of the esd.ny.gov/doing-business/requests-proposals website, we understand the ECDC is soliciting services through three separate RFP processes for what we interpret as very similar in scope and responsibilities. Could you please clarify which of the services requested in the Buffalo Waterfront Grounds Management RFP; Buffalo Waterfront Public Space Management RFP; and the Facilities Management Services RFP would not fall under the purview of a venue operator?</p> <p>a. Copies of the current Agreements for each of the three respective solicitations above.</p>	See answer for Question 31.
40	Is there any tax-exempt financing that has been used or is being used in the development or renovation of the facilities?	Any capital expenses or facilities repairs on ECHDC owned property is tax exempt.
42	Please provide the Plans for the Wilkeson Point improvement, so we can best understand the projects.	See answer for Question 29.
45	Briefly summarize the current relationship with the CVB and how they assist in marketing and bringing business to the facilities. Is there a dedicated annual marketing budget for the venues?	ECHDC has no official relationship with CVB and receives no funding from the County or any associated entities.
46	Are tourism and hotel tax dollars being used for micro transportation? How are visitors being transported from hotels to the Complex?	ECHDC has no official relationship with NFTA, the regional transportation authority.
47	Are there services provided by the EDCD not included in the buildings' operating budget?	No.
48	What is the current finance/accounting system in use by the county?	ECHDC is a State entity and has no affiliation with the County.
49	Is there a preferred or required Finance/accounting system expected to be used or integrated by the ECDC?	No. We just required regularly scheduled financial reports.



No.	Question	Answer
51	Is there a county/state reserve opportunity fund account that can be used for attracting business to the venue/region? What are the parameters of this fund? Can it be used to discount/waive rental, discount food and beverage, defray transportation cost during increment weather seasons?	No.